

DISCLAIMER

This electronic version of an SCC order is for informational purposes only and is not an official document of the Commission. An official copy may be obtained from the [Clerk of the Commission, Document Control Center](#).

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, NOVEMBER 7, 2001

APPLICATION OF

CASE NO. PUC010159

OPENBAND OF VIRGINIA, INC.

To cancel certificates of
public convenience and necessity

ORDER CANCELING CERTIFICATES

On July 31, 2001, OpenBand of Virginia, Inc.

("OpenBand" or the "Corporation"), filed an application requesting the State Corporation Commission ("Commission") to cancel its certificates of public convenience and necessity ("Certificates") authorizing it to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia, Certificate Nos. T-500a and TT-104B, respectively.¹ In that application, OpenBand stated that it planned to change the structure of the entity certificated in Virginia from a Virginia public service corporation to a Virginia limited liability company.

¹ In an Order issued on July 26, 2000, in Case No. PUC000018, the Commission issued Dean Networks of Virginia, Inc. ("Dean Networks"), certificates of public convenience and necessity authorizing it to provide local exchange and interexchange telecommunications services in Virginia, Certificate Nos. T-500 and TT-104A, respectively. By Commission Order dated November 9, 2000, in Case No. PUC000030, those certificates were amended (Certificate Nos. T-500a and TT-104B, respectively) to reflect that corporation's new name.

Pursuant to that plan, M.C. Dean, Inc., OpenBand, and OpenBand of Virginia, LLC ("LLC"), filed a joint petition requesting Commission approval pursuant to Chapter 5 of Title 56 of the Code of Virginia for an intra-corporate merger, reorganization, and transfer of assets from the Corporation to LLC. That joint petition was approved in Case No. PUA010032 by Commission Order issued on August 27, 2001.²

NOW THE COMMISSION, having considered the matter, is of the opinion and finds that the Certificates issued to OpenBand should be cancelled.

Accordingly, IT IS ORDERED THAT:

(1) Certificate No. T-500a authorizing OpenBand of Virginia, Inc., to provide local telecommunications services throughout the Commonwealth of Virginia is hereby cancelled.

(2) Certificate No. TT-104B authorizing OpenBand of Virginia, Inc., to provide interexchange telecommunications services throughout the Commonwealth of Virginia is hereby cancelled.

(3) This matter is hereby dismissed from the Commission's docket of active cases.

² In an Order dated August 20, 2001, in Case No. PUC010161 (Application of OpenBand of Virginia, LLC, for certificates of public convenience and necessity to provide local exchange and interexchange telecommunications services), the Commission granted interim authority to LLC to operate and to provide telecommunications services to customers in Virginia under the tariffs of Corporation until the Commission renders a decision in the matter.